

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

UNITED STATES OF AMERICA

:

:

Criminal No. 22-033-1

:

v.

:

:

JOSEPH PAUL BERGER

:

:

Defendant

:

MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTION

1. Defendant Joseph Paul Berger was arraigned in this matter on February 7, 2022.
2. Pursuant to EDPA Local Criminal Rule 12.1 a pretrial motion must be filed within 14 days of arraignment.
3. The 14th day is February 21, 2022, which is a Federal Holiday- President's Day, so the deadline would be extended to February 22, 2022.
4. The primary evidence in this case was seized during the execution of a search warrant at Defendant's home. A motion to challenge the validity of that search warrant may be appropriate.
5. There are two issues that have impaired this Counsel's ability to expeditiously review the warrant and potential motions that could be filed:
 - a. The Government first turned the search warrant over to this counsel in discovery on the evening of February 18, 2022.
 - b. This Counsel has had great difficulty in arranging contact with Defendant. On February 11, 2022, Defendant was moved to the Federal Detention Center in Philadelphia. Despite multiple phone calls and e-mails during the week of February 14, 2022, this counsel has yet to be able to arrange a visit with Defendant to discuss the case. At present, this Counsel is uncertain as to when a visit with Defendant might be available.
6. Given the uncertainty of the situation, Counsel is requesting an additional 30 days so as to meet with Defendant, review discovery and discuss how best to resolve the case.

7. Counsel has exchanged e-mails with AUSA Carissimi and he concurs with this extension. WHEREFORE, it is requested that Defendant be provided with an additional 30 days in which to file pretrial motions.

Respectfully requested

_____/s/_____
Eric Winter
Prince Law Offices
646 Lenape Road
Bechtelsville, PA 19505
Attorney ID 84200
610-845-3803

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CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE

I, Eric Winter, Esquire, certify that I have exchanged e-mails with AUSA Anthony Carissimi about this extension and he has concurred with a 30 day extension to file pretrial motions.

Respectfully submitted

_____/s/_____
Eric Winter
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